

III. REMARKS

1. Claims 1-26, 29, and 30 remain in the application. Claims 27, 28, and 31 have been cancelled without prejudice. Claim 32 is new. Claims 1, 8, 10, 11, 16, 20, 21, 29, and 30 have been amended.

2. Applicants provisionally elect the invention of Group I and Species 1C, claims 1-26 with traverse. Applicants respectfully submit that the restriction of claims 29 and 30 is improper. Claims 29 and 30 are clearly various aspects of the invention with claims in different categories. This has been further clarified by the amendments above. Claims 29 and 30 very clearly define functions similar to claim 1. The aspects of the invention are:

- A. a method for administering the digital collectible card,
- B. a system for controlling the digital collectible card,
- C. a computer program for running the method for administering the digital collectible card, and
- D. a mobile station for viewing the collectible card.

Applicants respectfully submit that restriction of these aspects is improper. These claims:

- Claim 1. the method,
- Claim 21. the system,
- Claim 29. the computer program, and
- Claim 30. the mobile station

have very similar limitations and functions. Even the user working in these claims is almost certainly the same. Applicants

further submit that the functional limitations of these claims (operations of the invention) are similar.

3. Figure 9 has been amended to show mobile terminal 10 communicating with server 14. A replacement sheet is attached hereto.

4. Claims 1, 2, 8, 11, 16, and 20 have been amended to overcome the informality based objections.

4.1 Regarding claim 22, Applicants submit that there is no requirement that the physical card, mobile phone and server communicate simultaneously.

5. Applicants respectfully submit that claims 21 and 22 are not anticipated by Aberson (US 6,546,400).

Aberson fails to disclose a digital collectible card system in a cellular mobile communication network, at least one cellular mobile phone for displaying and controlling of at least one digital collectible card, and an associating process based on an identification of the user in the cellular mobile communication network received from the cellular mobile phone, as recited by claim 21.

Aberson is focused on a fixed network Internet solution (e.g. col. 4, lines 52 - 65). There is no disclosure related to any other type of system.

6. Applicants respectfully submit that claims 1-3, 4-7, 9-12, 14-18, 20, 21, 23, 25, and 26 are patentable over the combination of Filler et al. (WO 00/11827, "Filler") and Aberson.

The combination of Filler and Aberson fails to disclose or suggest the following features of claim 1: 1) that the user of the cellular mobile phone communication network is identified, 2) that the user entering the cellular mobile communication network is using the cellular mobile phone; and 3) that associating a digital collectible card with the user is based on the identification of the user in the cellular mobile communication network, which identification is received from the cellular mobile phone.

The combination of Filler and Aberson also fails to disclose or suggest the following features of claim 21: 1) a digital collectible card system in a cellular mobile communication network; 2) at least one cellular mobile phone for displaying and controlling of at least one digital collectible card; and 3) an associating process based on an identification of the user in the cellular mobile communication network received from the cellular mobile phone.

The disclosure of Filler et al is entirely focused on a fixed network Internet solution. No other teaching exists in Filler. Filler fails to teach a cellular mobile communication network and a cellular mobile phone.

Further at page 2, lines 17-20, discloses a general concept of uniquely associating the card to the user, and gives only one example of this on page 15, lines 28-32 in which the user enters the username and the corresponding password. There is no disclosure or suggestion of the present invention.

At the time of Filler, GSM technology with identification and location features was widely available, and therefore known to one skilled in the art. Yet, Applicants know of no use of this

technology like the present invention and no solution as presented by the present invention. On the contrary, the disclosure of Filler is only related to a fixed connection Internet system utilizing association based on a user ID and password which must be typed and entered by the user.

Since Filler et al was laid open to the public on 2 March 2000, no similar solutions have been published. Indeed the fact that Filler fails to disclose any mobility aspects and that no other similar disclosure exists could be seen as an indication of inventiveness. Applicants actually disclosed Filler, but are of the opinion that the present invention clearly provides a different and more advanced digital trading card system in a totally different new environment.

Aberson fails to teach or disclose the features missing from Filler. The disclosure of Aberson teaches on page 2, lines 17-20 that "a user device...may comprise a conventional computer system...Thus, a user device may comprise... a laptop computer, a hand-held device (such as a personal digital assistant).

A benefit of the present invention is the synergy that can be achieved, as the association of the user with the digital trading card is based on the identification of the user of the cellular mobile phone in the cellular mobile communication network. The association is based on the identification of the user in the cellular mobile communication network received from the cellular mobile phone. Furthermore, the centralized server based management of the trading card system is very suitable for cellular mobile phone applications.

At least for these reasons, Applicants submit that claims 1 and 21 are patentable over the combination of Filler and Aberson.

Claims 2-7, 9-12, 14-18, 20, 23, 25, and 26 depend from claim 1 or 21 and therefore are also patentable over the combination of Filler and Aberson.

7. Applicants respectfully submit that claim 4 is patentable over the combination of Filler, Aberson and Beuk et al. (US 5,774,673, "Beuk").

Claim 4 depends from claim 1. Beuk fails to provide the features of claim 1 missing from the combination of Filler and Aberson and therefore fails to render claim 4 unpatentable.

8. Applicants respectfully submit that claims 8 and 24 are patentable over the combination of Filler, Aberson and Treyz et al. (US 6,587,835), "Treyz").

Claim 8 depends from claim 1 and claim 24 depends from claim 21. Treyz fails to provide the features of claims 1 and 21 missing from the combination of Filler and Aberson and therefore fails to render claims 8 and 24 unpatentable.

9. Applicants respectfully submit that claim 13 is patentable over the combination of Filler, Aberson, and Peppel (US 6,200,216).

Claim 13 depends from claim 1. Peppel fails to provide the features of claim 1 missing from the combination of Filler and Aberson and therefore fails to render claim 13 unpatentable.

10. Applicants respectfully submit that claim 19 is patentable over the combination of Filler, Aberson, and Martin, Jr. et al (US 6,610,105, ("Martin").

Claim 19 depends from claim 1. Martin fails to provide the features of claim 1 missing from the combination of Filler and Aberson and therefore fails to render claim 19 unpatentable.

11. Applicants respectfully submit that claims 1 and 8 are patentable over the combination of Kato et al (US 6,336,142, "Kato"), in view of Peppel.

Like the previous references, the combination of Kato and Peppel fails to disclose or suggest the following features of claim 1: 1) that the user of the cellular mobile phone communication network is identified, 2) that the user entering the cellular mobile communication network is using the cellular mobile phone; and 3) that associating a digital collectible card with the user is based on the identification of the user in the cellular mobile communication network, which identification is received from the cellular mobile phone.


Kato discloses in col. 5, lines 1-19 that "[I]t is another object of this invention ... that is capable of smoothly transferring data, such as processed results obtained from execution of an application program, an HTML file acquired from a Web server in accordance with the TCP/IP (Transmission Control Protocol/Internet Protocol) protocol or the like, to an external device (PDA) by using an infrared communication function, as well as a method of controlling the same." Clearly, infrared communication is technically far removed from the cellular mobile communications technology of the present invention, with respect to both the network and the phone. At least for these reasons, Kato fails to teach the above limitations of the present invention.

Peppel fails to disclose the same features missing from Kato. At least for these reasons, claim 1 and claim 8 are patentable over the combination of Kato and Peppel.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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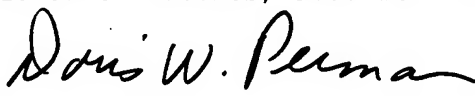

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